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June 6, 2003

The Honorable Susan Gauvey  
United States District Court for  
the District of Maryland  
Northern Division  
Garmatz Federal Courthouse  
101 W. Lombard Street  
Baltimore, Maryland 21201

Re: **Salan, et al. v. Wehland**  
**Case No. L-02-144**

Dear Judge Gauvey:

This letter will serve as the Defendant's portion of the Status Report with regard to the above captioned matter. I have set forth below the information requested in the Scheduling Order originally issued by Judge Legg on October 22, 2002.

1. **Completion of Discovery.** Discovery has not yet been concluded in this matter. The Plaintiffs have recently sought this Court's permission to extend the discovery deadline and for permission to again amend the complaint. Undersigned counsel has advised your chambers that the Defendant does not object to either request.

As the Court is aware, this matter currently involves the Plaintiffs' allegations that the Defendant was negligent with regard to his representation of the Plaintiffs' father/grandfather during the period of approximately 1983-1990. The amendment to the complaint (as it is understood by the undersigned) will allege that the Defendant was also negligent with regard to his handling of the estate after the Plaintiffs' father/grandfather died. The addition of that allegation will likely involve additional expert witness discovery by both sides. Also, further fact discovery may be required. Also, as Plaintiffs' counsel has advised, we have not yet been able to schedule the deposition of the Defendant's expert (on the presently identified issues), but are working together to resolve that issue.

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2. **Pending Motions.** As is set forth above, the Plaintiffs' pending motion requesting an extension of the discovery deadline and for permission to amend the complaint is currently pending. The Defendant does not oppose that motion.

3. **Dispositive Motions.** Defendant intends to file a Motion for Summary Judgment with respect to the pending allegations. That motion make arguments similar to those initially asserted in the Defendant's initial Motion to Dismiss. If the Plaintiffs' pending motion is granted extending the discovery deadline, that motion will not be filed until discovery is concluded and any amendments to the complaint are made.

4. **Bench or Jury Trial.** This will be a bench trial.

5. **Settlement Negotiations.** The Defendant is aware of no insurance that would provide coverage for him for the matters alleged in the operative complaint. The Plaintiffs have been made aware of this fact. The Defendant did, however, request a settlement demand in an attempt to determine whether some sort of a resolution was possible. Based on the amount of Plaintiffs' demand, Defendant does not believe this matter is amenable to resolution.

6. **Potential Settlement.** The Plaintiffs have now filed a caveat proceeding in the Orphan's Court for Baltimore County seeking to recover from the estate of their step-mother/step grandmother. Because the Plaintiffs appear to be seeking similar damages in that action, Defendant believes any recovery by the Plaintiffs in that action would affect this claim. Accordingly, Defendant believes that a settlement conference that also involved the parties in that case may prove valuable in globally resolving these matters.

7. **Other Issues.** As is set forth in Paragraph 6, the undersigned believes a settlement conference involving the parties to both cases (this matter and the recently filed caveat proceeding in the Orphan's Court for Baltimore County) may be helpful in globally resolving these matters. If the Court desires, the undersigned would be happy to contact the parties to the caveat proceeding, determine whether they have interest in attempting to globally resolve these matters and then attempt to schedule a global settlement conference.

Thank you for your assistance in this matter.

Sincerely,

ECCLESTON AND WOLF, P. C.

By: 

Jeffrey W. Bredeck

JWB/pgs

cc: A. Keith Weiner, Esquire